

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 8/14/03.

I. DISPUTE

Whether there should be reimbursement for biofeedback training by electromyogram - 90900, biofeedback by regulation of skin temperature - 90906, other biofeedback - 90915, psychotherapy - 90844, preparation of report - 90889 and biofeedback by regulation of blood pressure - 90904 from 4/4/03 through 5/23/03.

II. RATIONALE

The disputed services were initially denied for “E” – entitlement. The compensability issue was determined in the injured worker’s favor at a Contested Case Hearing on 7/18/03. The disputed bills were again reviewed after the CCH, but there was no change in the respondent’s position. Additionally, there were no EOBs submitted for the 4/22/03 date of service and the requestor shows a good faith attempt to obtain them. On this basis, the disputed services will be reviewed solely on the basis of the Medical Fee Guideline.

The medical reports for each disputed date of service support delivery of service as billed. Reimbursement is recommended.

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for biofeedback training by electromyogram - 90900, biofeedback by regulation of skin temperature - 90906, other biofeedback - 90915, psychotherapy - 90844, preparation of report - 90889 and biofeedback by regulation of blood pressure - 90904 from 4/4/03 through 5/23/03 in the amount of **\$1,002.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$1,002.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 18th day of December 2003.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division

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